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to the conclusion from which it started, that no new domicile has been acquired, and that English law governs. This is the *renvoi*, the sending back, in the court of the nationality, to the law of the nationality. The point is, however, that the law of the nationality is not thus applied *ex proprio vigore*, but, as it were, at second-hand, under the foreign authority with which for the occasion the court has invested itself. All this is logical; but the logic may be pushed farther, and then many juristic writers find opportunity for a sweeping condemnation of the doctrine. The law of the domicile sends the matter back to the law of the nationality, but this again remits it to the law of the domicile. Thus, conceivably a legal game of battledore and shuttlecock arises, each jurisdiction applying the whole law of the other, and tossing the subject-matter endlessly back and forth between the two. Mr. Bentwich's answer is that this logical outcome does not in practice result, because the court which accepts the *renvoi* retains the shuttlecock at the first return. And he finds the decisions of the courts of recent years speaking almost with one voice in acceptance of the *renvoi* as an effective rule of true comity.

Mr. Bentwich's other chapters are upon the Scope and Limitations of the English Conception of Domicile, the distinctions between Real and Personal Property, the Administration of the Estate, the Effect of Domicile upon Distribution, the Limitations of the Regulation of the Succession by the Law of the Domicile, the Validity of the Principle of Domicile in Succession, and Death Duties and Domicile. This last-mentioned chapter upon Death Duties and Domicile is an interesting discussion of certain new questions which have come to the front of late with the introduction of succession taxes into the fiscal systems of all countries.

A. M. B.

THE FIXED LAW OF PATENTS. By William Macomber. Boston: Little, Brown & Co., 1913.

In presenting the second edition of his "Fixed Law of Patents," William Macomber, Esq., has given to the profession something of a nature decidedly foreign to the average work dealing with this branch of the law. The author states that he has endeavored to produce a book "written primarily for the general practitioner—for the lawyer looking for general principles," so that, as from time to time questions of patent law arise in general practice, its possessor may have at hand a satisfactory means of answering them.

The whole of our patent system is fundamentally based upon a few comparatively short statutory enactments, yet the multitude of cases which have been decided—especially in the past few years—has produced a great number of principles bearing upon the application and interpretation of those statutes, and which might be said to constitute the *corpus* of American Patent Law. While many of these principles may be considered as practically fixed, others are still in the formative period, and still others are yet to be enunciated. In consequence, the necessity of adverting to the decisions of the courts themselves, and step by step following the reasoning by which the principle controlling a given case, which may be under consideration, has been worked out, or by which decisions, somewhat analogous, but yet not quite in point as bearing upon the exact question before the practitioner, have been arrived at, is at once apparent. Perhaps the need of thus considering the reasoning and decisions of the courts themselves, is enhanced by the present system of organization of the Federal Courts, which have exclusive jurisdiction in patent cases, and which comprise nine courts of last resort, each of which may, and often does, hold different views regarding the interpretation or validity of the same patent.

To present these decisions, therefore, in the most convenient form, has been the object of the author, and in making the compilation, he has confined himself exclusively to those decisions which constitute the "fixed" law of patents; namely, all of the decisions of the Supreme Court, and of the Circuit Courts of Appeal, down to, and including, those contained in 225 U. S., and 194 Fed. Rep. From these cases he has excerpted the salient points, and, quoting them in the exact language of the reports, has grouped them under appropriate headings. It may be that he has utilized the best method available for this grouping and indexing; it may be that a better method can be discovered for some future edition. The abbreviation of the titles of the cases, besides, seems somewhat

strange, and sometimes leaves one in doubt as to whether or not an old acquaintance has been encountered. However, it will be found that the more the book is made use of, the more familiar does one become with its arrangement and make up, and the more readily are the cases upon any desired topic located.

The author's "Brief Summary" of the subject of the law of patents is most interestingly written, and it is thought will do much to enlighten the lawyer unfamiliar with its technicalities, while the method employed of referencing the points touched on therein, to the cases in the body of the work, enables the reader readily to clear up a knotty point, or to compare his own views, based upon the decided cases, with those of the author.

In short, it is believed that the book fills a unique place among those dealing with this most important branch of the law, and will prove of assistance and value to the patent specialist, as well as the general practitioner for whose use it was primarily designed.

G. K. H.